

REMARKS

Applicants have further amended the claims to clarify the present invention.

The only independent claims present are claims 1, 5, 8 and 10. As now amended, claim 1 is to a covered wire that has an electrical conductive core and a unicolor cover portion of synthetic resin for covering the core that has a first mark being formed by coloring a part of an outer surface of the cover portion with a first color, and a second mark formed by coloring the other part of the outer surface of the cover portion with a second color different from the first color, with the first mark and the second mark disposed alternately with a gap along lengthwise the covered wire, and a length of the first mark along lengthwise of the covered wire being longer than that of the second mark along lengthwise mark of the covered wire. The marks are made by spouting a predetermined amount of a liquid coloring material of the color against the outer surface of the cover portion of the covered wire from a plurality of nozzles, all of which are oriented in the same direction perpendicular to the wire, while claim 5, as amended, is to a covered wire having an electrical conductive core and a unicolor cover portion of synthetic resin for covering the core having a plurality of marks formed by coloring a part of an outer surface of the cover portion with a color, the marks being disposed with a gap therebetween along lengthwise of the covered wire, where the marks are made by spouting a predetermined amount of a liquid coloring material of the color against the outer surface of the cover portion of the covered wire from a plurality of nozzles, all of which are oriented in the same direction toward the wire.

Claim 8, as amended, is to a method of distinguishing covered wires by forming a first mark by coloring a part of an outer surface of a unicolor covered wire with a first color, and forming a

second mark by coloring the other part of the outer surface with a second color different from the first color, where the first mark and the second mark are disposed alternately with a gap along lengthwise of the covered wire, and a length of the first mark along the lengthwise of the covered wire is longer than that of the second mark and colors for the first color and the second color are selected so as to distinguish each covered wire. The first mark and second mark are made respectively by spouting a predetermined amount of a liquid coloring material of a required color against the outer surface of the cover portion of the covered wire from a plurality of nozzles, all of which are oriented in the same direction perpendicular to the wire; while claim 10, as amended, is to a method of distinguishing covered wires by forming a plurality of marks being formed by coloring a part of an outer surface of a unicolor covered wire with a color, the marks being disposed with a gap therebetween along lengthwise of the covered wire, where the color is selected respectively for the covered wires so as to distinguish each covered wire. Each mark is made by spouting a predetermined amount of a liquid coloring material of the color against the outer surface of the cover portion of the covered wire from a plurality of nozzles, all of which are oriented in the same direction toward the wire.

Such a covered wire and method of distinguishing covered wires are not taught or suggested in the prior art.

In the Office Action, claims 1-3, 8 and 12 were rejected under 35 U.S.C. § 102(b) as anticipated by JP '918; claims 5, 10, 17 and 21 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 2,989,943 to Fitzgerald et al.; claims 4, 9 and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over JP '918; claims 1, 6-8, 11, 15 and 19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Fitzgerald et al. in view of JP '918; claims 14 and 18 were rejected

under 35 U.S.C. § 103(a) as unpatentable over JP '918 in view of U.S. Patent 1,931,610 to Johnstone; and claims 16 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Fitzgerald et al. in view of Johnstone. Reconsideration and removal of these rejections are respectfully requested in view of the amendments to the claims and the following remarks.

With regard to independent claim 1, FIG. 1 of JP '918 discloses an electric wire manufacturing apparatus in which an extruder 14 extrudes an insulator 12 made of synthetic resin onto the surface of conductor 10 and an ink supplier 20 is arranged in the downstream direction of extruder 14 for marking the surface of the insulator, while FIG. 4 of JP '918 shows a plurality of ink suppliers 20 arranged on either side of insulator 12, where the ink suppliers 20 arranged on each side are oriented in the same direction, and FIG. 8 of JP '918 shows a plurality of nozzles 23 of ink suppliers 20 directed towards rollers 50, 60 on either side of insulator 12. FIG. 8 shows that the plurality of nozzles 23 are arranged in different directions, none of which, however, are perpendicular to the wire (conductor 10) or insulator 12.

In the present amendment to the claims, the plurality of nozzles are all oriented in the same direction perpendicular to the wire, clearly different from the JP '918 teachings.

With respect to Fitzgerald et al., that reference discloses an apparatus for applying code markings of different colors onto articles of indefinite length, and FIG. 2 shows rotating wheels 20, 21 disposed on opposite sides of the path of longitudinal movement of the strand 17, where the wheels are longitudinally off-set with relation to each other for applying the colored markings 15 to the conductor. Another pair of wheels 22, 23 apply colored markings 16 in a similar manner.

In contrast, in the present specification as shown in FIG. 9, a pair of nozzles 31, 31 apply the coloring agent to the wire straight downward under pressure. The nozzles 31, 31 are arranged in

parallel and are oriented in the same direction, in contrast to the rotating wheels 20-23 of Fitzgerald et al., which are arranged in pairs on opposite sides of the wire (strand).

Claims 5, 10 and 17 recite this distinction.

In the Office Action, it is stated:

Applicant's arguments filed 12/14/2006 have been fully considered by they are not persuasive. Applicant primarily argues that Fitzgerald et al. discloses the nozzles 20, 21 disposed on opposite sides of the path of the longitudinal movement of the strand 17. This is in contrast to the present invention in which the nozzles are arranged on the same side with respect to the wire. Examiner disagrees. Claims 5 and 10 as currently amended recite the nozzles being *oriented in the same direction toward the wire*. FIGS. 1-2 of the Fitzgerald et al. disclose that the nozzles 20-23 are oriented in the same direction toward the wire, which is the axial direction toward the wire. (Sic.)

Applicants respectfully disagree. Nozzles 20, 22 of Fitzgerald et al. are oriented in a direction which is 180° different from the direction in which nozzles 21, 23 are oriented, although they are all parallel to each other.

Applicants have further amended the claims to point out these distinctions.

The Johnstone reference does not cure the deficiencies of the primary reference, being cited merely for teaching a cable comprising coloring marks, wherein the coloring material is a liquid material dissolving and dispersing color material in a solvent (page 1, lines 57-65), and, like Fitzgerald et al. discussed above, fails to teach, mention or suggest the features recited in the proposed amendments to claims 1, 5, 8 and 10.


In view of the present amendments to the claims and the above remarks, claims 1-21 are believed to be patentable and early action toward allowance thereof is respectfully requested.

U.S. Patent Application Serial No. 10/536,458
Response to Office Action dated March 12, 2007

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP


William G. Kratz, Jr.
Attorney for Applicant
Reg. No. 22,631

WGK/ak
Atty. Docket No. 050335
Suite 400
1420 K Street, N.W.
Washington, D.C. 20005
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosure: Petition for Extension of Time

Q:\HOME\AKERR\WGK\05\050335\amendment aug 2007